

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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: ROMAINE GORDON,
: :
: Petitioner,
: : NOT FOR PUBLICATION
: : ORDER
: -against-
: : 04-CV-3675(CBA)(CLP)
: S.A. HOLENIK, et al.,
: :
: Respondents.
: :
-----X
AMON, UNITED STATES DISTRICT JUDGE:

The Court has received the Report and Recommendation ("R&R") of the Honorable Cheryl L. Pollack, United States Magistrate Judge, issued July 5, 2005. The Magistrate Judge recommended that Gordon's petition for a writ of habeas corpus be stayed to allow full exhaustion of state court remedies. The Magistrate Judge further recommended that Gordon be ordered to return to federal court within thirty (30) days after the state courts have completed their review of his unexhausted claims and that the stay should be vacated nunc pro tunc and the action dismissed should Gordon fail to do so. The parties were given ten (10) days from receipt of the R&R to file any objections. To date, no objections have been filed. Accordingly, this Court hereby adopts the R&R as the opinion of the Court.

SO ORDERED.

Dated: Brooklyn, New York
July 22, 2005

Carol Bagley Amon
United States District Judge